

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

AMERITAS LIFE INSURANCE CORP.,

Plaintiff,

v.

WILMINGTON SAVINGS FUND  
SOCIETY, FSB, SOLELY AS SECURITIES  
INTERMEDIARY,

Defendant,

C.A. No. 23-236-GBW

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WILMINGTON SAVINGS FUND  
SOCIETY, FSB, SOLELY AS SECURITIES  
INTERMEDIARY,

Counterclaimant,

v.

AMERITAS LIFE INSURANCE CORP.,

Counterclaim Defendant.

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**JOINT STIPULATION FOR EXTENSION OF DEADLINES**

Pursuant to Local Rule 16.4, Ameritas Life Insurance Corp. (“Ameritas”) and Wilmington Savings Fund Society, FSB, Solely as Securities Intermediary (“Securities Intermediary,” and collectively with Ameritas, the “Parties”) hereby jointly stipulate to an extension of the deadlines in the Joint Scheduling Order (ECF 17) and respectfully request that the Court order as follows:

1. The Parties seek a three-month extension of the deadlines in the Joint Scheduling Order (ECF 17), not including the deadline to substantially complete document productions.
2. The Court entered the Joint Scheduling Order in this case on July 13, 2023. ECF 17. In the Joint Scheduling Order, substantial completion of the Parties’ document

productions was scheduled to occur on or by November 17, 2023, while fact discovery was slated to close on February 9, 2024.

3. Recognizing that additional time was needed to substantially complete their document productions, the Parties filed a Joint Stipulation for Extension of Deadline to Substantially Complete Document Productions on November 10, 2023. ECF 40.

4. In that filing, Securities Intermediary specifically noted that additional extensions, including of the fact discovery deadline, would likely be needed, and the Parties indicated that they would seek additional extensions of other deadlines if necessary.

5. The Court granted the Joint Stipulation on November 15, 2023, setting the deadline for substantial completion of the Parties' document productions for January 5, 2024. The other case deadlines remained unchanged, including the February 9, 2024 deadline for completion of fact discovery.

6. In accordance with the Court's schedule, the Parties substantially completed their document productions on or by January 5, 2024. However, while the Parties have already taken significant discovery, additional time is needed to resolve disputes over the Parties' document productions and to ensure that there is time for all fact witness depositions to take place prior to the end of fact discovery.

7. The Parties have also issued several subpoenas *duces tecum* to third parties. The Parties are still in the process of negotiating those third parties' responses and are awaiting several productions of documents. *E.g.*, ECF 24; ECF 28; ECF 32-35; ECF 37; ECF 39; ECF 41-48.

8. For these reasons, the Parties are not in a position to complete fact discovery by February 9, 2024.

9. The Parties believe that extending the deadline for completion of fact discovery by three months (i.e., to **May 10, 2024**) will allow the Parties sufficient time to resolve their disputes over their document productions, complete fact witness depositions, and complete negotiations with third parties relating to their document productions.

10. To align the other deadlines in the Joint Scheduling Order with any such an extension, the Parties seek a three-month extension of the other deadlines as well.

11. Good cause exists for granting the requested extension because it will allow the Parties to complete fact discovery in an orderly fashion. The Parties have not unreasonably delayed in seeking discovery or this extension, as demonstrated by the discovery that the Parties have already undertaken.

11. The extension requested herein is not being sought for purposes of delay or any other improper purpose, and no party will be prejudiced by the requested extension.

NOW THEREFORE, it is hereby stipulated and agreed by the Parties hereto, subject to Court approval, that the deadlines provided in the Court's Joint Scheduling Order (ECF 17), except for the substantial completion of document productions, shall be extended by **three months** as follows:

Event	Current Deadline	Proposed Deadline
Close of fact discovery	February 9, 2024	May 10, 2024
Affirmative expert reports	March 9, 2024	June 7, 2024
Rebuttal expert reports	April 5, 2024	July 3, 2024
Reply expert reports	April 19, 2024	July 19, 2024
Expert discovery cutoff	May 17, 2024	August 16, 2024
Dispositive motions due	June 14, 2024	September 13, 2024

Oppositions to dispositive motions due	July 12, 2024	October 11, 2024
Replies in further support of dispositive motions due	July 26, 2024	October 25, 2024
Deadline motions <i>in limine</i> and <i>Daubert</i> motions due	September 27, 2024	December 27, 2024
Pretrial conference	January 8, 2025	April 10, 2025
Jury Trial begins	January 13, 2025	April 14, 2025

**AGREED TO BY AND BETWEEN:****COZEN O'CONNOR P.C.**/s/ Kaan Ekiner

Kaan Ekiner (No. 5607)  
1201 North Market St., Ste. 1001  
Wilmington, DE 19801  
Phone: 302-295-2046  
Fax: 302-250-4356  
kekiner@cozen.com

Joseph M. Kelleher (*pro hac vice*)  
Kara E. Cheever (*pro hac vice*)  
Victoria G. Mazzola (*pro hac vice*)  
1650 Market St., Ste. 2800  
Philadelphia, PA 19103  
jkelleher@cozen.com  
kcheever@cozen.com  
vmazzola@cozen.com

*Attorneys for Plaintiff,  
Ameritas Life Insurance Corp.*

**K&L GATES LLP**/s/ Megan E. O'Connor

Steven L. Caponi (No. 3484)  
Matthew B. Goeller (No. 6283)  
Megan E. O'Connor (No. 6569)  
600 N. King Street, Suite 901  
Wilmington, DE 19801  
Telephone: (302) 416-7000  
steven.caponi@klgates.com  
matthew.goeller@klgates.com  
megan.oconnor@klgates.com

**ORRICK, HERRINGTON & SUTCLIFFE LLP**

Khai LeQuang (*pro hac vice*)  
Aaron M. Rubin (*pro hac vice*)  
2050 Main Street  
Suite 1100  
Irvine, CA 92614-8255  
Telephone: 949-567-6700  
klequang@orrick.com  
amrubin@orrick.com

*Attorneys for Defendant Wilmington Savings  
Fund Society, FSB, solely as Securities  
Intermediary*

**SO ORDERED** this \_\_\_\_ day of January 2024.

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The Honorable Gregory B. Williams  
United States District Judge